

JASON M. FRIERSON  
United States Attorney  
District of Nevada  
Nevada Bar Number 7709  
BIANCA R. PUCCI  
Nevada Bar Number 16129  
Assistant United States Attorney  
501 Las Vegas Blvd. South, Suite 1100  
Las Vegas, Nevada 89101  
Phone: (702) 388-6336  
Email: bianca.pucci@usdoj.gov  
*Attorneys for the United States of America*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MURRELL VAILES,

Defendant.

Case No.: 2:22-cr-00104-JAD-BNW

**Stipulation for Extension of Time  
(First Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, and Bianca R. Pucci, Assistant United States Attorney, counsel for the United States of America, and Joanne Diamond, Assistant Federal Public Defender, counsel for Defendant Murrell Vailes, that the date for the Government to file a response to the Defendant's Motion to Suppress Evidence (ECF No. 22) be extended for three weeks, specifically to **September 7, 2022**.

This stipulation is entered for the following reasons:

1. The Defendant's Motion was filed and served on August 3, 2022. *See* ECF No. 22. The Government's response deadline is presently August 17, 2022.
2. Counsel for the Defendant reached out to the Government on August 8, 2022, to discuss the case. The Government reached back out to defense counsel to discuss

the case further on August 10, 2022. Defense counsel was not available, and is currently unavailable until August 17, 2022, to discuss the case and the instant motion.

3. Further proceedings on the instant motion will depend on the outcome of those discussions.

4. The motions deadline in this case is set for September 28, 2022, and responses would be due October 12, 2022. *See* ECF No. 21. A continuance of the response for the instant motion will not delay the proceedings because the requested response date is still prior to the deadlines previously set by the Court.

5. This Court set a hearing on the motion for September 22, 2022. *See* ECF No. 23. A continuance of the response for the instant motion will not delay the proceedings because the requested response date still allows for the parties to fully brief the motion without needing to change the hearing date.

6. The additional time requested herein is not sought for purposes of delay, but to allow the parties to meet and confer regarding the case and instant motion, and to allow counsel for the Government time to adequately respond to the Defendant's motion, if necessary, based on the outcome of those discussions.

7. Additionally, denial of this request for continuance could result in a miscarriage of justice.

///

///

///

///

///

8. This is the first stipulation filed herein to continue the Government's response  
deadline.

**DATED:** August 11, 2022

Respectfully submitted,

JASON M. FRIERSON  
United States Attorney

*/s/ Bianca R. Pucci*

---

BIANCA R. PUCCI  
Assistant United States Attorney

*/s/ Joanne Diamond*

---

JOANNE DIAMOND  
Assistant Federal Public Defender  
Counsel for Defendant

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA, ) Case No. 2:22-cr-00104-JAD-BNW  
)  
Plaintiff, )  
)  
v. )  
)  
MURRELL VAILES, )  
)  
Defendant. )  
\_\_\_\_\_)

**FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The Defendant's Motion was filed and served on August 3, 2022. *See* ECF No. 22. The Government's response deadline is presently August 17, 2022.
2. Counsel for the Defendant reached out to the Government on August 8, 2022, to discuss the case. The Government reached back out to defense counsel to discuss the case further on August 10, 2022. Defense counsel was not available, and is currently unavailable until August 17, 2022, to discuss the case and the instant motion.
3. Further proceedings on the instant motion will depend on the outcome of those discussions.
4. The motions deadline in this case is set for September 28, 2022, and responses would be due October 12, 2022. *See* ECF No. 21. A continuance of the response

for the instant motion will not delay the proceedings because the requested response date is still prior to the deadlines previously set by the Court.

5. This Court set a hearing on the motion for September 22, 2022. *See* ECF No. 23.

A continuance of the response for the instant motion will not delay the proceedings because the requested response date still allows for the parties to fully brief the motion without needing to change the hearing date.

6. The additional time requested herein is not sought for purposes of delay, but to allow the parties to meet and confer regarding the case and instant motion, and to allow counsel for the Government time to adequately respond to the Defendant's motion, if necessary, based on the outcome of those discussions.

7. Additionally, denial of this request for continuance could result in a miscarriage of justice.

8. This is the first stipulation filed herein to continue the Government's response deadline.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the Government's response deadline.

### **CONCLUSIONS OF LAW**

The additional time requested herein is not sought for purposes of delay, but to allow the Government with adequate time to respond to the Defendant's motion. The failure to grant said continuance would likely result in a miscarriage of justice.

///

///

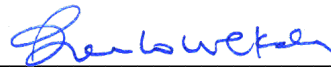
///

///

**ORDER**

IT IS THEREFORE ORDERED, that the previously-scheduled response deadline for the Government to respond to the Defendant's Motion to Suppress is extended until September 7, 2022.

DATED this 12th day of August, 2022.



---

Honorable Brenda Weksler  
UNITED STATES MAGISTRATE JUDGE